
Government of the District of Columbia



Metropolitan Police Department

Testimony of
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Public Hearing on
Mandatory Juvenile Public Safety Notification
Amendment Act of 2006, Bill 16-732

Committee on the Judiciary
Phil Mendelson, Chair
Council of the District of Columbia

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Council Chamber
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

I want to thank the Committee for the opportunity to present this opening statement in support of Bill 16-732, the Mandatory Juvenile Public Safety Notification Amendment Act of 2006. And I want to thank you, Mr. Chairman, for convening this hearing to consider a juvenile justice reform that is critical to public safety in the District of Columbia. If enacted, this law will not only enhance the safety of our communities, but also will serve our young people by helping us intervene earlier and more effectively in the lives of juvenile offenders in the District of Columbia.

To me, those are the two overriding goals of this legislation: community safety and the protection of our young people through early intervention and accountability. I do not believe that these two goals are incompatible. In fact, I believe that they are very much complementary. Today, public safety in many of our communities depends, to a large extent, on how quickly we can identify juveniles who are at the greatest risk of becoming serious, career criminals, and how effectively we – as a government and as a society – can intervene and interrupt their path toward violence and self-destruction.

The measure before the committee today is not a panacea to the problem of juvenile crime or community safety. But I believe it is a step in the right direction – one that will benefit both our communities and our children.

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The underlying problem we are dealing with – crimes committed by and against juveniles – is very serious. And by most measures, the problem appears to be getting worse. Even as our city has seen encouraging reductions in crime over the past several years, juvenile involvement in crime seems to be growing more common and more serious. Between 2002 and 2005, the number of juveniles arrested in the District rose by more than 20 percent. And while the overall number of arrests was essentially unchanged from 2004 to 2005, arrests are up 14 percent in the first five months of 2006. What's more, we have detected a very disturbing trend within the aggregate numbers: a surge in juveniles arrested for some of our most serious crimes.

One out of every six juveniles arrested in DC today is charged with a violent offense, compared with about one out of every 20 adults arrested. The number of juveniles arrested for robbery offenses alone increased 37 percent in 2005, and arrests for weapon offenses rose 30 percent. These alarming trends have continued, even accelerated, this year. Through the first five months of 2006, juvenile arrests for weapons offenses have jumped another 24 percent, and robbery arrests of juveniles are up an astonishing 85 percent. In fact, 4 out of every 10 individuals arrested for robbery this year in the District has been a juvenile. Today, it is not uncommon for us to see packs of 3 or 4 or even more juveniles, some of them armed, committing street robberies in our city. If these trends continue, juvenile arrests in the District will top 3,000 this year, a level not seen since the 1990s.

While these numbers are certainly alarming in the short term, the long-term outlook is even more dire, I'm afraid. With juveniles in DC engaging in more criminal activity, and more violent criminal activity, at younger and younger ages, we can expect to see increases in crime, especially violent

crime, in the years ahead as these juveniles enter adulthood – unless, of course, we take meaningful steps today to interrupt their criminal careers.

Reversing these disturbing trends will take more than just the police department, and it will take more than just law enforcement and prosecution of offenders. It will take a comprehensive approach that includes enforcement and prevention. The Metropolitan Police Department recognizes this fact, and we are actively engaged in numerous youth crime prevention, education and intervention efforts. These include the annual “40 Days of Increased Peace” summer initiative, which kicks off this Wednesday, as well as Conflict Resolution Teams, Metropolitan Police Boys and Girls Clubs, Youth Advisory Councils, and more. Of course, the City Council and our communities recognize this as well, and continually ask for more police-sponsored programs and activities for the city’s youth. What surprises me, then, is why there is continued opposition to the MPD being able to more easily identify those youth who are at the highest risk of committing crime and being victims of crime, and then engaging those youth in more prevention and intervention programs.

In recent years, the Department has been able to target some of our prevention, intervention and mediation efforts toward young people who are already in the justice system and are at high risk of even more serious involvement in more serious crimes. For example, our Operation Prevention Auto Theft is working with first-time auto theft and UUV offenders and their families, addressing their delinquent behavior head-on and trying to develop alternative, more positive courses of action. We have also partnered with the Department of Youth Rehabilitation Services (DYRS) and Court Social Services (CSS) in “Partnership for Success,” a pilot project to identify 50 young people already in the juvenile justice system who are at highest risk of becoming involved – either as an offender or victim – in future violent crime. “Partnership for Success” is working to provide these 50 youth with intensive support and supervision when they are released back into the community.

Ideally, one day, the District will be able to provide this level of service to all juveniles who are in the juvenile justice system. But the scope of the problem is astonishing. For now, the proposed bill focuses on specific groups of juveniles who we think need more attention and focus: juveniles who have been arrested three or more times for any offense, or arrested for a violent crime or unauthorized use of a vehicle, and are not in the custody of Court Social Services or DYRS. In the first five months of 2006 alone, almost 600 juveniles would meet those criteria.

Let me break that number down for you. So far in 2006, almost 1,200 juveniles have been arrested a total of 1,360 times. Of that total, 18 juveniles have been arrested three or more times just in 2006 alone. Two-hundred, twenty-five (225) of the juveniles have been arrested three or more times since 2001. And more than 70 juveniles have been arrested five or more times since 2001. In addition, there have been 228 juvenile arrests for violent crimes and 214 arrests for UUV during the first five months of 2006 alone. All told, almost 600 juveniles appear in one of those three categories. We simply cannot wait until the city can provide intensive services to all young people in the system before we make some necessary reforms that address these particularly high-risk juveniles.

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But the fact of the matter is that for the Metropolitan Police Department to be successful – first in identifying those young people who are most at-risk of engaging in criminal behavior, and then in

intervening with these juveniles – then our Department needs access to basic information about those juveniles who are in the community. The bill before the Committee would address some very serious gaps in the information that is available to the police. It would provide our Department with a carefully selected and limited set of basic, public safety-related data.

Providing the police with access to this data would go a long way toward helping us do a better job of protecting the community and safeguarding at-risk juveniles. For the fact of the matter is that many of the juveniles who would be impacted by this law are at a high risk of being victimized themselves, and police need more – not less – information if we are to protect them.

The laws governing information about kids in DC’s juvenile justice system are complex, and appropriately so. Information is classified into law enforcement, court and social records, and there are significant limits to who may access each set. As I mentioned, the bill would provide the MPD with a limited amount of information on a defined set of juveniles and only under certain conditions, such as their release into the community. Let me be perfectly clear that the MPD is not interested in accessing psychological, clinical or other information contained in juveniles’ social records. That information is not germane to our mission of public safety, and we do not view this legislation as some type of “first step” toward eventually gaining access to a broad range of non-public safety data.

What the bill would provide is access to some very useful information that would support our public safety mission. For example, the bill would require the Family Court to disclose certain limited information for non-committed, community-placed respondents who have been arrested three or more times, or who have been arrested at least once for a crime of violence or for unauthorized use of a vehicle. The records include such information as stay-away orders and conditions of probation or release.

When judges in Family Court impose restrictions related to a juvenile’s release, it only makes sense that those court-ordered terms be provided to the police. Obviously, this information is important to officers who subsequently encounter the juvenile. But this sharing of information can help in our prevention efforts as well. If juveniles know that the police are aware of the terms and conditions of their release, it’s reasonable to assume that some of them will be less likely to violate those terms.

The law would also require the Department of Youth Rehabilitation Services to provide the MPD with basic information about the same categories of juveniles who have been arrested and committed to DYRS custody, including community-based facilities. Again, this is limited to juveniles who have been arrested three or more times, or who have been arrested at least once for a crime of violence or for unauthorized use of a vehicle. The law would further require DYRS to notify the MPD of any absconder or juvenile who is absent from a DYRS facility without authorization, regardless of the offense for which the juvenile was arrested.

This latter provision is particularly important. We know from experience that juvenile absconders are at a higher risk of re-offending or being victimized themselves. Tragically, since 2004, three juveniles with a history of absconding were subsequently killed. We also know that at least 10 juvenile homicide victims in 2004 and 2005 had prior arrest histories.

One of these juveniles was shot to death execution-style, and dumped by the side of the road last October. In the preceding 19 months, beginning at the age of 14, this young man had been in and out of the juvenile justice system on weapons and other serious charges, and he had absconded more than once from his placements. During this time, he was also responsible for several brutal murders in Southeast DC; he was nothing short of a one young-man killing machine. But because of current laws, the MPD did not always know where he was or where he was supposed to be during this time period. His case alone should be reason enough for us to reconsider how we handle some of our most violent juvenile offenders, and to reform – as this legislation would – our policies and procedures for sharing information about certain young offenders.

The bottom line: the sooner our Department learns about at-risk juvenile offenders, the sooner we can work on locating them and preventing their further involvement in crime in our neighborhoods, either as offenders or as victims.

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In closing, I want to once again thank the Committee for holding this hearing and for considering this legislation. Reforming our laws on access to juvenile justice information is not an easy task. There are a number of complex and sensitive issues involved. The MPD understands these sensitivities, and we respect the need to protect our young people from the misuse of juvenile records.

At the same time, our officers see first-hand, every day, the serious community safety problems posed by juvenile crime – in particular, the disturbing trends with respect to juveniles involved in robberies and armed offenses in general. Much is being done in the District to address juvenile crime and violence. But as a police department, as a government and as a community, we clearly need to do even more. I do not believe that we can solve this problem simply by working harder at what we're already doing. I think we need a new direction – with new policies, new procedures and creative new thinking on how to address a very complex problem. I believe this legislation is an important step in the right direction.

This measure is by no means a panacea. But it is a straightforward and common-sense reform that I believe will help the Metropolitan Police Department be more effective in safeguarding our young people and in protecting our communities. I urge the Committee and the full Council to pass this law quickly and as proposed.

Thank you again for the opportunity to read this statement into the record. My staff and I will be happy to answer your questions.